

AO 91 (Rev. 5/85) Criminal Complaint

United States District Court
For The District of Columbia

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

OSCAR RAMIRO ORTEGA-HERNANDEZ
(a/k/a "Oscar Ramiro Ortega")
DOB: 10/2/1990

CASE NUMBER C 11-0833

2984 Mesquite Drive
Idaho Falls, Idaho

11-733 M

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

On or about November 11, 2011, in the District of Columbia, the defendant, OSCAR RAMIRO ORTEGA-HERNANDEZ, knowingly did attempt to kill the President of the United States (Attempt to Assassinate the President of the United States in violation of Title 18 U.S.C., Section 1751(c))

I further state that I am Chris Ormerod, Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

See Attached Affidavit

Continued on the attached sheet and made a part hereof

Yes No



Signature of Complainant
Chris Ormerod, Special Agent
Federal Bureau of Investigation

AUSA George Varghese (202) 252-7800
AUSA John W Borchert (202) 252-7811

Sworn to before me and subscribed in my presence,

November 17, 2011
Date

at

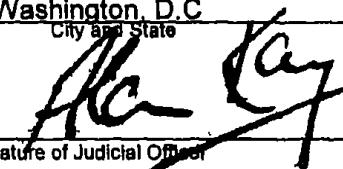
Washington, D.C.

City and State

Name & Title of Judicial Officer

ALAN KAY
U.S. MAGISTRATE JUDGE

Signature of Judicial Officer



AFFIDAVIT

I, Special Agent Chris Ormerod, being duly sworn depose and state as follows:

I. PRELIMINARY MATTERS

1. I am a Federal Agent, authorized to investigate violations of the laws of the United States, and I am a law enforcement officer with authority to execute arrest and search warrants issued under the authority of the United States.
2. Your affiant is a Special Agent with the Federal Bureau of Investigation ("FBI") currently assigned to the Washington Field Office. Prior to this assignment, your affiant was in the Las Vegas Division. Your affiant has been employed by the FBI for approximately five and a half years. Prior to his employment with the FBI, your affiant was employed as a police officer with the St. Louis County, Missouri Police Department for approximately ten years. As a Special Agent with the FBI, your affiant has worked on cases involving violent crimes, including bank robberies, car-jackings, and kidnappings; extraterritorial crimes, including war crimes, torture and murder; and white collar crimes, including public corruption, money laundering, bank fraud and civil right violations.
3. The information set forth in this Affidavit is known to me as a result of an investigation personally conducted by me and by other law enforcement agents. Thus, the statements contained in this Affidavit are based in part on information provided to me by other agents and investigators from the United States Secret Service ("USSS"), the United States Park Police ("USPP"), and the FBI, as well as local law enforcement officers who have assisted the investigation. Statements in this Affidavit are also based in part on a review of records obtained during the investigation, interviews, surveillance, documents obtained during the execution of search warrants, and my training and experience as a law enforcement officer.

4. This Affidavit is being submitted for the limited purpose of supporting a criminal complaint. Thus, I have not set forth each and every fact learned during the course of the investigation. In addition, where conversations or statements are related herein, they are related in substance and in part except where otherwise indicated.

5. The facts and circumstances set forth in this Affidavit demonstrate that there is probable cause to believe that the subject of this investigation has violated federal criminal law including but not limited to 18 U.S.C. § 1751(c) (Attempt to Assassinate the President of the United States).

II. SUBJECT INFORMATION

6. **OSCAR RAMIRO ORTEGA-HERNANDEZ** was born on October 2, 1990. His last known home address is 2984 Mesquite Drive, Idaho Falls, Idaho. ORTEGA-HERNANDEZ is approximately 5 feet, 11 inches tall, with brown eyes and brown hair. ORTEGA-HERNANDEZ has a tattoo on the left side of his neck of the word "Israel."

III. FACTS ESTABLISHING PROBABLE CAUSE

7. On November 11, 2011, at approximately 9:04 PM, USPP Officers responded to reports of the sounds of gunshots in the area of 17th Street and Constitution Avenue NW, in Washington, D.C. During the course of the investigation, a witness, W-1, was identified and stated that the witness was in a vehicle that had just passed the entrance to the Ellipse before 17th Street, N.W. W-1 stated to the USPP that the witness observed the occupant of a dark-colored sedan in front of her stop the sedan and begin shooting through the passenger-side window in the direction of the White House. W-1 also has stated that the shots were "directed at the Ellipse behind the South Lawn of the White House." Following the shooting, according to W-1, the

dark-colored vehicle accelerated at a high rate of speed.

8. Investigators have also interviewed a second witness, W-5, who was also traveling westbound on Constitution Avenue between 16th and 17th Streets, N.W. W-5 stated that the witness heard approximately eight sounds of a "popping noise" which came from in front of W-5's vehicle. W-5 observed a "dark-colored possibly red sedan-type" vehicle and noticed what W-5 described as "puffs of air" coming from the passenger side of the vehicle. W-5 then saw the vehicle accelerate across Constitution Avenue, swerve into the center lane, and continue out of view.

9. On the night of November 11, 2011, within minutes of the reports of a shooting along Constitution Avenue, officers of the USPP and the USSS searched the area and found an abandoned black 1998 Honda Accord with Idaho registration number 8BZ-6370. The vehicle was located near the ramp from Constitution Avenue to the Theodore Roosevelt Bridge, on the lawn of the National Institute of Peace. A witness, W-2, was identified, who stated that the witness observed a dark-colored vehicle parked on the lawn of the National Institute of Peace. W-2 stated that he went to check on the operator of the vehicle. While walking towards the vehicle, W-2 observed the operator attempt to restart the car, and then get out and flee the area on foot.

10. Following the discovery of the abandoned Honda Accord described above, investigators conducted a search of the vehicle. Recovered from the vehicle in between the center console and the passenger floorboard was a Romanian Cugir SA semi-automatic assault rifle with a large scope mounted on the top portion of the weapon. In addition to the rifle, officers recovered ammunition from inside the vehicle, including three magazines loaded with

7.62 x 39 mm cartridges and nine spent shell casings for 7.62 x 39mm cartridges. The car also contained several additional boxes of 7.62 x 39mm cartridges. Officers also recovered from inside the vehicle an aluminum baseball bat, brass knuckles, and a sales receipt from a Wal-Mart store, located in Fairfax, Virginia. The sales receipt was dated November 11, 2011, at approximately 5:00 PM. Investigators also recovered a black hooded jacket from inside of the car that was emblazoned with the letters "LA" arranged in a pattern similar to the logo for the Los Angeles Dodgers baseball franchise.

11. The abandoned Honda Accord described above is consistent with the description of the vehicle driven by the shooter provided by witnesses W-1 and W-5. A check of the registration for the abandoned Honda Accord revealed that one of the two listed owners of the vehicle is ORTEGA-HERNANDEZ of 2984 Mesquite Drive, Idaho Falls, Idaho.

12. Idaho law enforcement officials made contact with a witness, W-3, who knows ORTEGA-HERNANDEZ. W-3 told the law enforcement officials that ORTEGA-HERNANDEZ left Idaho in the 1998 Honda Accord with tag 8BZ-6370 approximately one month ago

13. During the course of the investigation, I have learned that earlier that day, November 11, 2011, at approximately 11:00 AM, Arlington County Police Officers responded to a call for a suspicious person in the area of 5601 Lee Highway, Arlington, Virginia. When the officers responded to the scene, they stopped an individual who identified himself as ORTEGA-HERNANDEZ. Officers observed ORTEGA-HERNANDEZ near a 1998 Honda Accord with Idaho tags 8BZ-6370. The Arlington County police officers asked to search the nearby vehicle, but ORTEGA-HERNANDEZ refused. At the time of the stop, ORTEGA-HERNANDEZ was

wearing a black knit cap, black hoodie with "LA" logos, and black pants. The police officers took photos of ORTEGA-HERNANDEZ and released him. I have reviewed the photographs taken of ORTEGA-HERNANDEZ by the Arlington County Police on that day and it appears that he is wearing the same "LA"-style hooded sweatshirt that was described in paragraph 10 above and that was recovered from ORTEGA-HERNANDEZ's vehicle on the night of the shooting.

14. Detectives also went to the Walmart store in Fairfax, Virginia, which was identified in the sales receipt recovered from the abandoned Honda Accord registered to ORTEGA-HERNANDEZ. At the store, detectives obtained a copy of the surveillance video from November 11, 2011, at approximately 5:00 PM. The surveillance video recovered from the store depicts an individual who matches the photos of ORTEGA-HERNANDEZ taken earlier that day by Arlington County Police Officers. The individual in the surveillance video is wearing a black jacket, black pants, and white shoes. The jacket worn by ORTEGA-HERNANDEZ in that surveillance video appears to be the same "LA"-style hooded sweatshirt that was described above in paragraph 13 and that was recovered from ORTEGA-HERNANDEZ's vehicle on the night of the shooting.

15. On November 16, 2011, FBI investigators conducted a search of the area around the White House and located several confirmed bullet impact points on the south side of the building on or above the second story. The second and third stories of the White House are known to be the residence of the First Family. Several bullets and fragments were also collected in that area. One of the bullets recovered has a diameter, weight, and design typical of bullets loaded in 7.62 x 39 mm cartridges

16. Investigators from the USPP and USSS interviewed a witness in Idaho, W-4, who

knows ORTEGA-HERNANDEZ well. W-4 stated that ORTEGA-HERNANDEZ has increasingly become more agitated against the federal government, and is convinced that the federal government is conspiring against him. W-4 stated that ORTEGA-HERNANDEZ wanted to "hurt" President Obama and referred to him as "the anti-Christ." The USPP has also spoken with W-6, who reports that within the last several months ORTEGA-HERNANDEZ told W-4 that he thought President Obama was "the anti-Christ," and ORTEGA-HERNANDEZ "needed to kill him." W-4 stated that ORTEGA-HERNANDEZ left Idaho driving a black Honda Accord. W-4 stated that the witness knew that ORTEGA-HERNANDEZ owned a gun that was black with a "huge butt" that ORTEGA-HERNANDEZ kept in his room. After ORTEGA-HERNANDEZ left Idaho, W-4 looked in ORTEGA-HERNANDEZ's room for the gun and the gun was not there.

17 Investigators from the USPP interviewed a witness in Idaho, W-7, who has known ORTEGA-HERNANDEZ for over six years. W-7 stated that W-7 knew that ORTEGA-HERNANDEZ owned an "AK-47 like gun" that was black with a "scope like thing" on the top of it. W-7 stated that over the past year ORTEGA-HERNANDEZ's opinion and comments regarding the government and President Obama have gotten worse; ORTEGA-HERNANDEZ was very specific that President Obama was the problem with the government; and ORTEGA-HERNANDEZ was "preparing for something." W-7 stated that ORTEGA-HERNANDEZ believed President Obama is "the devil," and that ORTEGA-HERNANDEZ "will not stop until it's done." W-7 also reported that ORTEGA-HERNANDEZ stated President Obama "needed to be taken care of."

IV. CONCLUSION

18. Based on the facts set forth above, your Affiant submits respectfully that there is probable cause to believe that ORTEGA-HERNANDEZ has violated federal criminal law, to wit, 18 U.S.C. 1751(c) (Attempt to Assassinate the President of the United States). Your Affiant respectfully requests that an arrest warrant be issued for ORTEGA-HERNANDEZ.

FURTHER YOUR AFFIANT SAYETH NOT.



Chris Ormerod
Special Agent
Federal Bureau Investigation

Sworn and subscribed to this 17 day of November 2011



A.C. Kay
United States Magistrate Judge
District of Columbia

AO 442 (Rev 01/09) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Oscar Ramiro Ortega-Hernandez,
also known as,
Oscar Ramiro Ortega

Defendant

) Case No 11-0833

ARREST WARRANT

To. Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) Oscar Ramiro Ortega-Hernandez, also known as Oscar Ramiro Ortega,
who is accused of an offense or violation based on the following document filed with the court:

- Indictment Superseding Indictment Information Superseding Information Complaint
 Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

Attempt to Assassinate the President of the United States

Date: November 17, 2011

City and state: Washington, D.C.

A. KAY
Issuing officer's signature

ALAN KAY
MAGISTRATE JUDGE

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____

Date _____

Arresting officer's signature

Printed name and title